



Fair Political Practices Commission

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NEWS ADVISORY

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Candidate-controlled ballot measure committees on April agenda *FPPC to discuss ballot measure ads featuring candidates*

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Issues surrounding the application of section 85310 of the Political Reform Act – which partially governs issue advocacy – to candidate-controlled ballot measure committees, will be addressed by the Fair Political Practices Commission at its monthly meeting on **Thursday, April 8.**

Section 85310 requires reporting of certain payments made for communications that clearly identify, but do not expressly advocate for, a state candidate. The section also imposes a contribution limit on persons who pay for communications that feature a clearly identified candidate when the communication is made at the behest of the candidate.

A staff memorandum outlines issues relevant to the interpretation of section 85310. In the memorandum, Commission Counsel C. Scott Tocher and General Counsel Luisa Menchaca write, “The experience of the recent gubernatorial recall election has raised the issue of whether campaign contribution limits can apply to ballot measure committees that are controlled by candidates when payments are made for advertisements in which the candidate appears.”

Details of several regulatory options are also presented in the staff memorandum, which is available on the FPPC website. The commission is expected to adopt regulatory changes later this summer. (**Agenda Item #16**)

Thursday’s meeting begins at 9:45 a.m. in the FPPC’s eighth-floor hearing room at 428 J St. (Fifth and J Streets) in Sacramento.

In other business, the commission will consider permanent adoption of an emergency amendment to regulation 18531.6 and new regulation 18531.61. The commission acted in January 2004, to reverse prior policy regarding the application of the net-debt fundraising restrictions of section 85316 to committees formed for elections prior to the effective date of Proposition 34, the campaign finance measure passed by voters in November 2000.

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An amended or adopted emergency regulation expires automatically 120 days after it becomes effective unless the commission permanently adopts the regulation. At Thursday's meeting, the commission will consider whether these actions should be made permanent.
(Agenda Item #14)

The agenda is posted on the FPPC website at: *www.fppc.ca.gov*. Click on "Agendas" on the left side of the home page, and go to "Current Agenda."

Proposed enforcement stipulations, orders and exhibits can be obtained from the website by clicking on the link in that agenda item. Memoranda regarding other items on the agenda are also accessible by clicking on the links in those agenda items on the website.

Letters responding to items on the agenda after it was posted on the website 10 days prior to the meeting can be found at the top of the agenda on the website.

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